THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10339 OF 2006

DATED 26TH SEPTEMBER, 2006

BETWEEN:

G.Rajendra Prasad and another.

… Petitioners

AND

The District Collector, Visakhapatnam and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10339 OF 2006

ORDER:

The land admeasuring Acs.4.84 cents in survey No.78/2 situated at Gudilova village of Anandapuram Mandal in Visakhapatnam District was originally assigned to ex-serviceman, by name, Gudla Appa Rao Reddy, on 29.01.1969. The petitioners herein – husband and wife; purchased the property from the assignee under registered sale deed, dated 15.02.1996. They also statedly obtained Pattadar Pass Books (PPBs) and title deeds from the revenue officials. They alleged that on 14.06.2006, the fourth respondent asked the petitioners to vacate the land alleging that the land is assigned land. The petitioners contend that the fourth respondent did not initiate any action under law before threatening them to dispossess.

The petitioners have produced the patta as well as PPB No.C-169777 issued to Gundla Appa Rao Reddy, which would show that the assignment was made as he was an ex-serviceman. Whether the assignment made to such ex-serviceman was cancelled or not, the petitioners purchased the property under sale deed. Therefore, even if

there is any violation of terms of assignment, unless and until appropriate action is taken under the provisions of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977, the petitioners cannot be evicted highhandedly.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

26.09.2006
pln